

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Chandler Fulton, et al.  
Title: THIAMINASES AND  
THIAMINASE GENES FOR  
USE IN APOPTOTIC  
THERAPIES  
Appl. No.: 09/675,509  
Appl. Filing Date: 9/29/2000  
Examiner: T. Ton  
Art Unit: 1632  
Confirmation 1879  
Number:

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission **required** under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☒ Please enter and consider the amendment and/or reply previously filed on

May 24, 2007.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.

☐ Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_.

☐ Other \_\_.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO/SB/08 with copies of \_\_ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	8	- 31	= 0	x \$50.00	= \$0.00
Independents	4	- 8	= 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$120.00	0	\$0.00
[ ] Extension for response filed within the second month:	\$450.00		\$0.00
[ X ] Extension for response filed within the third month:	\$1,020.00		\$1,020.00
[ ] Extension for response filed within the fourth month:	\$1,590.00		\$0.00
[ ] Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$1,020.00
EXTENSION FEE ALREADY PAID: -			\$120.00
EXTENSION FEE TOTAL			\$900.00
CLAIMS AND EXTENSION FEE TOTAL:			\$1690.00
[ X ] Small Entity Fees Apply (subtract ½ of above):			\$845.00
[ ] Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$845.00

The above-identified fees of \$845.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: 07/23/2007  
FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6767  
Facsimile: (858) 792-6773

By Barry Wilson  
Richard Warburg, Reg. No. 32,327  
By Barry Wilson, Reg. No. 39,431  
Attorneys for Applicants